

EXHIBIT B

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
CASE NO.: 19-cv-03377-LAP
CASE NO.: 19-cv-03377-LAP

VIRGINIA L. GIUFFRE,

Plaintiff,

vs.

ALAN DERSHOWITZ,

Defendant.

_____/

REMOTE

DEPOSITION OF: Michael Spallholtz

DATE TAKEN: October 18, 2021

TIME: 10:02 a.m. - 11:07 p.m.

PLACE: Zoom Video Conference

TAKEN BEFORE: Derron Ross, Court Reporter
And Notary Public State of Florida

TRANSCRIBED BY: Tina Montfort

* * * * *

1 MR. KIRK: I would move to strike to the
2 extent the answer included hearsay and lacked
3 foundation.

4 BY MR. COOPER:

5 Q. Did you, when you say that you -- oh, strike
6 that, withdrawn.

7 What were you concerned about being
8 manipulated?

9 A. I wasn't concerned. It was -- remember a lot
10 of this is, is what I kind of heard from Rebecca, but
11 from what I understand and I kind of overhead in
12 conversation was Virginia felt like lawyers were
13 manip -- manipulating her to go after Alan.

14 MR. KIRK: Objection and move to strike.
15 Lacks foundation and reflects hearsay.

16 BY MR. COOPER:

17 Q. Well, let's be very specific, and I want to
18 ask you, ultimately, you did talk to Professor
19 Dershowitz, correct?

20 A. Yes.

21 Q. And if I understand your testimony correctly,
22 first you sent him an anonymous email, is that right?

23 A. Yes.

24 Q. And at some point, did the two of you get on
25 the telephone?

1 A. Yes.

2 Q. And were you joined in that conversation by
3 your wife?

4 A. Yes.

5 Q. So, did the three of you speak?

6 A. Yes.

7 Q. Do you recall approximately how long it was
8 after you emailed him that the three of you spoke?

9 A. It wasn't long. I would say within days.

10 MR. COOPER: Okay. If we could mark, please,
11 as the first exhibit in order, I'm just going to show
12 you a document. Actually, Mr. Reporter, I need you to
13 mark it. I have a copy for you Michael.

14 THE WITNESS: Okay.

15 MR. KIRK: Probably, you should mark it
16 Spallholtz Exhibit 1. Is that --

17 MR. COOPER: Okay.

18 MR. KIRK: Is that --

19 MR. COOPER: That's fine.

20 MR. KIRK: Okay.

21 (WHEREUPON, Exhibit SPALLHOLTZ-01 was marked
22 for identification.)

23 BY MR. COOPER:

24 Q. While he's getting his stickers, you can take
25 a look at an unmarked copy.

1 So, I told you this would take a little bit.

2 THE WITNESS: Yeah. It's all right. You're
3 good. It's kind of interesting to tell you the truth.

4 BY MR. COOPER:

5 Q. So, as of April 2015, had you met Ms. Giuffre?

6 A. Have I?

7 Q. Yes.

8 A. Yes.

9 Q. Had she stayed in her -- in your home?

10 A. Yes.

11 Q. Had she stayed there with your family?

12 A. My, my wife's family, yes.

13 Q. And had she had her family with her?

14 A. Yeah, Robbie (ph) and the kids.

15 Q. Okay. And I take it that you interacted with
16 her.

17 A. Oh, yeah.

18 Q. And I take it that that included listening to
19 her make the statements that you're about to testify
20 to --

21 A. Yes.

22 Q. -- correct? So, you were personally in her
23 presence when she made the statements.

24 A. Yes.

25 Q. Now, recognizing that we're talking about

1 statements from years ago, is it fair to say you don't
2 remember the exact words that she used?

3 A. Yes. That's what I'm saying.

4 Q. In substance, what did she tell you about Alan
5 Dershowitz?

6 A. That he wasn't involved. That she'd never
7 seen him do anything. And I, I `want to say -- I don't
8 want to, I don't want to say a hundred percent, I want
9 to say she never even met him before.

10 Q. And do you recall whether that was why you
11 reacted to hearing her -- hearing the news that she was
12 making the allegations against him?

13 A. Yes. It was -- it, 'cause she actually, she
14 actually didn't want to --

15 Q. And what did --

16 A. -- the way --

17 Q. What did she say in that regard.

18 A. Well, she, she felt like she's being
19 pressured, and she's like, oh, I just don't really want
20 to do this, you know, and, and I remember her saying
21 that. Rebecca and I, we actually spoke that night.
22 Like, yeah, that's messed up.

23 And, you know, yeah, so that, I remember her
24 kind of insinuating that she, she didn't really want to
25 go after Alan, but she felt pressured by her lawyers.

1 Q. Did she say what lawyers she felt pressured
2 by?

3 A. Oh, I think she did, but can't say. I don't
4 remember. I don't want to say the wrong name.

5 Q. Would it refresh your recollection if I
6 suggested the name, David Boies to you?

7 A. It does -- it does not.

8 Q. What about Sigrid McCawley?

9 A. I've heard that name, but I don't know if that
10 name was involved in that conversation. You know, I, I,
11 I think she mentioned him, but I can't, I'm not a
12 hundred percent sure it was within context of that
13 conversation.

14 Q. Now, is it fair to say that you reached out to
15 Professor Dershowitz because you felt the situation was,
16 to use your word, messed up?

17 MR. KIRK: Objection to the form of the
18 question.

19 BY MR. COOPER:

20 Q. You answer it anyway. What do you mean when
21 you use the words --

22 A. It's that it was --

23 Q. -- messed up?

24 A. It was wrong, and I'm, I'm kind of one of
25 those people who always, I get frustrated when you see,

1 see things going on and it's kind of like you know
2 somebody out there knows the truth. And nobody ever
3 says anything. So, it's kind of one of those things
4 where it's like, okay, you put your money where your
5 mouth is. You have, you have, there's something you can
6 say here if you wanted to.

7 Q. And just so the record is clear, you've spoken
8 with Professor Dershowitz a few times, correct?

9 A. Yes.

10 Q. And on each occasion, have you made similar
11 statements to him about what you heard Ms. Giuffre say?

12 A. Yes.

13 Q. Now, I just want to ask you, sir, what your
14 understanding is as to -- you mentioned earlier that
15 your wife was friends with Ms. Giuffre when they were
16 kids.

17 A. Yes. They were best friends.

18 Q. Is that you heard Ms. Giuffre describe the
19 relationship she has with your wife?

20 A. Oh, yeah. They, she loves Rebecca.

21 Q. Do they have nicknames for each other?

22 A. I think she calls her Becky.

23 Q. Now, at some point, did Ms. Giuffre make you
24 and your wife an offer of employment?

25 A. Yes.

1 Q. And tell us about that, please.

2 A. She was starting a, a, like a woman's shelter
3 kind of thing in Colorado, from what I understand,
4 called, it was VRS or something along those lines. And
5 she had wanted me to use my experience with self-defense
6 to come out there and kind of, you know, do classes with
7 battered women to help improve not only just their
8 ability to defend themselves but also to build their
9 confidence back up. You know, that was kind of the, the
10 thought that went.

11 I think at that time, too, I was already doing
12 a program where I was doing, I was help -- there's a
13 school here locally that's called Turning Points for
14 Troubled Kids. One of my, a friend of mine's the
15 assistant principal there. So, I had started going
16 there doing free seminars with, with, with the kids, and
17 we had talked about that. I'm saying, hey, you know, it
18 kind of came up, and she was like, would you be
19 interested? And I was like yeah, you know, that would
20 be awesome. You know, I, I love teaching, it's, you
21 know, it's my passion. I mean, and help battered women
22 and also, you know, it would be cool.

23 Q. And what happened with that opportunity if
24 anything?

25 A. Nothing. It, it fell through. She, we, we

1 actually, I, I gave up ownership. We, we were all set
2 to you. You know, I gave up ownership to my gym.
3 Rebecca quit her job. We were, we were ready to go, and
4 last, last minute, all of a sudden, I don't know exactly
5 what changed but all -- she had made all these promises
6 about all these different things she wanted to do and
7 then, ho -- honestly, I have no idea why at the last
8 moment, boom, forget it, we're not doing it.

9 Q. Did you and your wife ever made a demand of
10 Ms. Giuffre that she pay you \$10,000?

11 A. No, we didn't demand that. That was offered,
12 'cause there was no way we were going to go without it.
13 'Cause like, you know, we had kids. I can't go out
14 there without an income. I was like, there's no way we
15 can do this. She's like, well, I'll give you \$10,000 to
16 get you on your feet until this thing gets moving. And
17 I was like, oh, okay, well, that opens up the door.

18 Q. Now, sir, did you receive a subpoena for
19 documents in this matter from Ms. Giuffre's lawyers?

20 A. I did.

21 Q. And did you undertake to produce the
22 responsive documents that you have?

23 A. Yes.

24 Q. And what did you do in that regard?

25 A. What, what I sent over?

1 Q. Yes.

2 A. I just emailed scre -- Rebecca and I both
3 emailed screenshots.

4 Q. Have we talked previously?

5 A. You and I?

6 Q. Yes sir.

7 A. Yes.

8 Q. And when was that?

9 A. I don't know, it was like a week ago, right?
10 Last week.

11 Q. And do you remember anything that we talked
12 about?

13 A. About the case, pretty much.

14 Q. Okay. Have we met in person before today?

15 A. No.

16 MR. COOPER: I have nothing further.

17 CROSS EXAMINATION

18 BY MR. KIRK:

19 Q. Good morning, Mr. Spallholtz.

20 When's the last time you spoke with Alan
21 Dershowitz?

22 A. Oh, I'd say two weeks ago, probably, about two
23 weeks ago.

24 Q. Did he tell you what he, he wanted you to say
25 during this deposition?

1 A. No.

2 Q. What did you talk about?

3 A. A few weeks ago, we just talked about the
4 case, and he had told me anytime you get any phone calls
5 or, or anything like that, you know, to give him a call.
6 So, I think I called him about the subpoena.

7 Q. Other than that, did you talk about anything
8 else?

9 A. Regarding the case?

10 Q. Yes.

11 A. No.

12 Q. Did he tell you that he wanted you to testify
13 that -- to what you've testified to this morning?

14 A. Yeah. He just said, tell the truth.

15 Q. Do you know when's the last time your wife,
16 Rebecca Boylan, spoke with Mr. Dershowitz?

17 A. Same time I did.

18 Q. Was it the same call, or did you take turns
19 talking to him?

20 A. It was -- you know what? Actually, I don't
21 think -- no, she did talk to him. I, I think I just
22 handed her the phone.

23 Q. So, you don't know what he said to her.

24 A. I wasn't on the phone. No.

25 Q. Okay. Did you do anything to prepare for this

1 deposition?

2 A. No.

3 Q. You didn't review any documents or talk to
4 anyone?

5 A. Well, I just spoken to him last week, but I
6 mean.

7 Q. When did you first meet Ms. Giuffre?

8 A. When she came back from Australia. I think it
9 was like 2015. When she stayed with us. That was my
10 first time meeting her, when she stayed with us.

11 Q. In 2015 or --

12 A. Yeah.

13 Q. -- or around then?

14 A. Yeah. That was my first time meeting her.

15 Q. Okay. Now, you testified that you had some
16 conversations with her, correct?

17 A. Mhm.

18 Q. You need to say yes or no.

19 A. Oh, I'm sorry.

20 Q. That's okay.

21 A. Yes.

22 Q. I know.

23 A. Yes.

24 Q. Is it also the case that your wife, Rebecca
25 Boylan, would tell you about things that Virginia had,

1 had told her?

2 A. Yes.

3 MR. COOPER: Let me just interpose an
4 objection here. Where we're dealing with a party, a
5 witness who's not represented by counsel, and I think
6 it's inappropriate to invade the marital
7 disqualification where he doesn't have any legal advice
8 available to him. So, I ask that you not do that.

9 MR. KIRK: Well, your point is noted.

10 MR. COOPER: Okay. Well, I, I think that
11 it's, it is binary. Either you're going to do it or
12 you're not. If you are --

13 MR. KIRK: We'll see where the questioning
14 goes. You can object as you see fit.

15 MR. COOPER: Okay, but the, the question that
16 you just asked directly asked him to disclose
17 communications with his wife, which he is disqualified
18 from doing.

19 MR. KIRK: I don't think I actually asked for
20 the substance.

21 MR. COOPER: Okay.

22 MR. KIRK: But in any case --

23 MR. COOPER: We'll take it --

24 MR. KIRK: I'll ask my question.

25 MR. COOPER: -- on a question-by-question

1 basis.

2 BY MR. KIRK:

3 Q. Mr. Spallholtz, again, you said that you
4 recalled having some conversations with Ms. Giuffre,
5 correct?

6 A. Yes.

7 Q. And you also had conversations with your wife
8 about what Ms. Giuffre had told her.

9 Is that correct?

10 MR. COOPER: Hold on. Objection. Marital
11 disqualification.

12 MR. KIRK: You can answer.

13 THE WITNESS: Yes.

14 BY MR. KIRK:

15 Q. My question for you is this: Are you able to
16 distinguish, in your memory, what you heard come out of
17 Ms. Giuffre's mouth from what your wife, Rebecca Boylan,
18 told you about what Ms. Giuffre had said to her?

19 A. Yes.

20 Q. Or do they all run together?

21 A. No, they definitely don't. I mean, it was an
22 important, it was a big conversation. It was shocking.
23 So, yes, I can definitely differentiate between --

24 Q. Now, you --

25 A. -- the two.

1 Q. I'm sorry. Go ahead.

2 A. No, you're good. Go ahead.

3 Q. Okay. Now, you testified that in the
4 conversation, you heard Ms. Giuffre say that she felt
5 pressured by the lawyers.

6 Do you recall that?

7 A. Yes.

8 Q. And that she -- you, you said she did not want
9 to go after Mr. Dershowitz.

10 A. Right. Yes.

11 Q. Did she say anything else, or were those the
12 only two statements she made?

13 MR. COOPER: Objection. Mischaracterizes the
14 prior testimony.

15 MR. KIRK: It's a question. You may answer
16 the question.

17 THE WITNESS: Did she say anything else about
18 going after Alan or, or just anything?

19 MR. KIRK: Anything.

20 THE WITNESS: Oh, there's a lot of stuff she
21 said. You know.

22 BY MR. KIRK:

23 Q. Anything that relates to Mr. Dershowitz.

24 A. Anything that relates to Mr. Dershowitz, no.
25 Just, you know, like I said, that she -- man, it's so

1 long ago. She didn't re -- recall, I want to say she
2 didn't, I don't think she ever met him, and she never
3 saw him do anything.

4 Q. Well, can you say under oath that she said she
5 never met him, as you sit here six years later?

6 MR. COOPER: Objection.

7 THE WITNESS: I can't say that she -- I can
8 say under oath that she'd never seen Alan do anything.
9 I can say that. I remember that, particularly.

10 BY MR. KIRK:

11 Q. But you can't say that she never said she met
12 him?

13 MR. COOPER: Objection.

14 THE WITNESS: I can't. I'm not going to -- I
15 can't -- should I keep going?

16 MR. COOPER: You can answer him --

17 THE WITNESS: Okay. Yeah, I'm not comfortable
18 saying under oath that she -- I just remember along
19 those lines something like that, but I'm not going to
20 sit here and say she definitely said she never met him.

21 BY MR. KIRK:

22 Q. Was this one conversation?

23 A. The one conversation I was there for, it was
24 one for me. I know Rebecca and Virginia spoke multiple
25 times.

1 Q. Where were you when you had this conversation?

2 A. I want to say we were at a restaurant when
3 they were talking. Virginia and Rebecca. I think it
4 was Duffy's.

5 Q. Who else was present?

6 A. Well, me and Robbie were drinking beer, just
7 bullshitting, but the kids were there, my kids were
8 there, Virginia, and Rebecca.

9 Q. How many kids were there, total?

10 A. It was mine and Virginia, I think she has
11 three, right? Yeah, but they were running around
12 playing, whatever. It like downtown West Palm.

13 Q. Is it a loud place?

14 A. At that time, no, 'cause it was in the
15 afternoon. There wasn't very many people there. We
16 were actually sitting outside.

17 Q. Now, Mr. Cooper asked you about the, a
18 telephone call with Mr. Dershowitz.

19 Do you recall that?

20 A. Yes.

21 Q. That your wife was also on in April of 2015.

22 A. Yes.

23 Q. Right after you sent that email.

24 A. Yes.

25 Q. Mr. Dershowitz told you that he was taping the

1 call, correct?

2 A. Yes.

3 Q. Would the tape of that call be a better record
4 of your recollection of what Ms. Giuffre had said than
5 what you're recalling as you sit here today?

6 MR. COOPER: Objection. Form, foundation.

7 THE WITNESS: Keep going?

8 MR. KIRK: You bet.

9 THE WITNESS: All right. Yes. I mean, it was
10 more recent, so obviously, my memory's going to be
11 better than it is now.

12 BY MR. KIRK:

13 Q. If there's any discrepancy between what you
14 say today and what's on the tape, would you think that
15 what you say today or what you, what was on the tape
16 would be more accurate?

17 MR. COOPER: Objection. Form, foundation.

18 THE WITNESS: Yes. I would say it, it was
19 probably more accurate than it is now.

20 BY MR. KIRK:

21 Q. And during that conversation, did you tell Mr.
22 Dershowitz everything you thought it was important for
23 him to know?

24 MR. COOPER: Objection. Form, foundation.

25 THE WITNESS: It was, the conversation itself,

1 the first conversation, it wasn't everything. I
2 remember we talked, and then, it was, you know, if you
3 remember anything else, you know, let me know.

4 BY MR. KIRK:

5 Q. Did you --

6 A. You know, that --

7 Q. -- remember -- I'm sorry, go ahead.

8 A. No, that's it. Go ahead.

9 Q. Did you remember anything else and let him
10 know?

11 A. Yeah. I mean, when, we, we spoke a few times,
12 you know. And he had asked, is there, you know, and I
13 can't remember exactly everything. He actually spoke to
14 Rebecca a lot more than, than me. A lot of times, it
15 was he would call and like, all right, you know, I'll,
16 you know, I'll let Rebecca know to give you a call, that
17 kind of thing. Like, I, I probably as for talking about
18 the whole what Virginia said, I only had a couple of
19 conversations with Alan about that.

20 Q. In that first call that he taped, you didn't
21 tell him that Virginia had never met Mr. Dershowitz, did
22 you?

23 A. I don't --

24 MR. COOPER: Objection. Form, foundation.

25 THE WITNESS: I don't remember.

1 BY MR. KIRK:

2 Q. That's a pretty important point, isn't it?

3 A. I --

4 MR. COOPER: Objection. Form, foundation.

5 THE WITNESS: Keep going?

6 MR. KIRK: You bet.

7 THE WITNESS: I, I would agree. I, I just
8 don't remember. I just, or I said. It's all, it's so
9 long ago. I'm trying to remember. It's hard. I wish I
10 could remember everything, 'cause we, like, we spent a
11 lot of time with Virginia.

12 BY MR. KIRK:

13 Q. In that phone call that was taped, you didn't
14 tell Mr. Dershowitz that Virginia had said that he
15 hadn't done anything, did you?

16 MR. COOPER: Objection. Form, foundation.

17 THE WITNESS: No, I would then, 'cause that's
18 what she said. She -- I remember her saying, you know,
19 oh, I've never seen Alan do anything. Like he wasn't
20 involved or something along those --

21 BY MR. KIRK:

22 Q. If --

23 A. -- lines.

24 Q. If it's not on the tape, would that indicate
25 that you didn't say it?

1 MR. COOPER: Objection. Form, foundation.

2 THE WITNESS: Well, yeah, if it's not

3 recorded, I guess I didn't say it.

4 BY MR. KIRK:

5 Q. And if you didn't say it, does that suggest

6 that maybe your memory has morphed a little over the

7 years on this point?

8 MR. COOPER: Objection. Form, foundation.

9 THE WITNESS: Yeah, there's a poss-- yeah,

10 sure. There's a possibility of that.

11 BY MR. KIRK:

12 Q. Now, you did tell him on the tape or, or

13 Rebecca -- if I could use her first name -- told her on

14 the tape that Virginia had said she felt pressured.

15 A. Mhm.

16 Q. But she didn't say on the tape that Mr.

17 Dershowitz had not done anything.

18 MR. COOPER: Objection.

19 BY MR. KIRK:

20 Q. Does that suggest to you that maybe you or she

21 or both of you were kind of jumping to conclusions based

22 on the --

23 A. Oh, no. We definitely weren't jumping to

24 conclusions what was being done.

25 Q. And yet, you didn't tell Mr. Dershowitz at the

1 time.

2 MR. COOPER: Object to form, foundation.

3 THE WITNESS: Oh no. I mean, I can tell you
4 when we spoke to Dershowitz the first time it was
5 uncomfortable. Rebecca was actually crying. It was one
6 of those things where it was, yeah, it was just, it was
7 uncomfortable, not a nice conversation.

8 BY MR. KIRK:

9 Q. If you could take a look at the Spallholtz
10 exhibit number one that Mr. Cooper gave you, I'd like to
11 ask you to look at the email at the top of the page
12 that's from you to Mr. Dershowitz.

13 Is that right? Even though it says --

14 A. From John Doe.

15 Q. -- John Doe?

16 A. Yes. Yes.

17 Q. Did you write that?

18 A. I wrote that.

19 Q. What did you talk about with Mr. Dershowitz
20 with respect to your job situation?

21 A. Well, I was just, he, when it comes to the,
22 the, the charity deal with Virginia. And I think we had
23 spoken on the phone. 'Cause he was just asking
24 questions, if I remember, about just the whole situation
25 with Virginia. And that's where I was talking about

1 where my job was teaching jiu-jitsu at that time. I
2 owned a gym. And I, you know, I gave up that thinking
3 that we were going to Colorado and that she was able to
4 actually, 'cause she had put her notice in, but she was
5 actually able to keep her job after putting her notice
6 in.

7 Q. So, you were in a fairly tight financial
8 position at this time, is that fair to say?

9 A. Oh, yeah.

10 MR. COOPER: Objection. Relevance.

11 THE WITNESS: Yes. Sorry. I didn't mean --

12 MR. KIRK: That's okay.

13 THE WITNESS: -- to interrupt you, sorry.

14 BY MR. KIRK:

15 Q. And you were concerned about, as anyone would
16 be, about what you were going to do to support your
17 family, correct?

18 A. Yes.

19 Q. And you told Mr. Dershowitz about that, even
20 though he was a total stranger.

21 A. Yes. I mean, because the situation that we
22 were in was due to the fact that we gave up, I gave up
23 my work in regarding with, to Virginia.

24 Q. Now, when you first reached out to him, and
25 this is at the bottom of the page, in the April 15th

1 email, after telling him you had some information about
2 Virginia, you said at the end "it is definitely worth
3 something."

4 A. Mhm.

5 Q. What did you mean by that?

6 A. That it was legitimate. That it was wor--
7 worth some -- it was worth hearing. It was definitely
8 relevant.

9 Q. You weren't suggesting that Mr. Dershowitz
10 might in some way compensate you for this --

11 A. No.

12 Q. -- information.

13 A. We had plenty of opportunities of reporters
14 calling us and all types of stuff and, you know, we
15 refused.

16 Q. You had reporters calling you?

17 A. Oh, yeah.

18 Q. When? At this time?

19 A. It was shortly after that.

20 Q. Now, in the April 17th email, at the end of
21 it, you say, "Rebecca remembered a few other things that
22 will be helpful, but we would like to know what it is
23 you mean when you say you would like to help us."

24 Do you see that?

25 A. Yeah. He had said on the phone at one point,

1 you know, oh, I, I'd help you guys or something like
2 that, and I was like, oh. I didn't really understand,
3 you know, what he meant by that.

4 Q. And so, you were trying to --

5 A. Yeah, I wanted --

6 Q. -- ask him --

7 A. -- ask him --

8 Q. -- to be specific.

9 A. Right.

10 Q. And by help you, this is right after you said
11 you didn't finish with the job situation, correct?

12 A. Right.

13 Q. So, you wanted Mr. Dershowitz to, in some way,
14 help you get out of this tight financial spot you --

15 A. No, I wasn't --

16 Q. -- were in.

17 A. -- asking for help. I was asking him what he
18 mean -- meant by help.

19 Q. And you were saying that you'd like to hear
20 that before Rebecca tells him about any other --

21 A. No.

22 Q. -- information.

23 A. We were going to tell him regardless.

24 Q. Well, it says, "Rebecca remembered a few other
25 things that will be helpful, but we would like to know

1 what it is you mean."

2 That sure sounds like you were saying, before
3 we get to anymore information, you need to tell me what
4 you're talking about in terms of some financial help.

5 A. Yeah, I can understand how it sounds like
6 that, but I wasn't asking for anything.

7 MR. KIRK: Okay. I'd like to show you another
8 document. I'll ask the court reporter to make this as
9 Spallholtz Exhibit 22.

10 THE COURT REPORTER: Twenty-two?

11 MR. KIRK: I'm sorry, 2.

12 (WHEREUPON, Exhibit SPALLHOLTZ-02 was marked
13 for identification.)

14 BY MR. KIRK:

15 Q. Okay. Mr. Spallholtz, what I've brought out
16 for you or, or shown you is a text exchange, and I'll
17 represent to you that this document was given to us or
18 produced to us by Professor Dershowitz, and my
19 understanding is that it's directed to Mr. Dershowitz's
20 cellphone.

21 Do you see the cellphone number that's next
22 to --

23 A. My name, my name, or her name Yes, I see it.

24 Q. Yes. The, it says Michael Rebecca Boylan.

25 Was that a cellphone you both used?

1 A. No, that's mine. That's my phone number.

2 Q. Okay. So, was this a, a text that you sent
3 Mr. Dershowitz on April 23rd, 2015?

4 A. Yes.

5 Q. And just to get our timeframe straight, this
6 is a little less than a week after you'd sent the prior
7 email that we just looked at where you say you'd like
8 him to tell you what he means when he says he's going to
9 help you.

10 Is that right?

11 A. Right.

12 Q. Now, here, you say -- in the first sentence,
13 when you say, "We are going to go after the lawyers,
14 what do you mean?"

15 What did he say about going after the lawyers?

16 A. You're talking a long time ago. I don't
17 remember exactly how he responded to that. I do
18 remember saying, we, because I was concerned that we
19 didn't want to get involved in this.

20 Q. Okay.

21 A. That was, and that's been my concern from the
22 start in that, you know, we ended up here anyway, but
23 didn't want to end up here.

24 MR. COOPER: Apologies.

25 MR. KIRK: Now, if we continue reading in the

1 text, you say, "We have given you a lot of info that I
2 know is a help to you. I am curious how you plan to
3 help us."

4 MR. COOPER: I object. You inserted the word,
5 you. It says after curious --

6 BY MR. KIRK:

7 Q. That's a fair point. Let me read it again so
8 the record is accurate. You wrote, "We have given you a
9 lot of info that I know is a help to you. I am curious
10 how plan to help us."

11 A. Right.

12 Q. Did I read that correctly?

13 A. Yes.

14 Q. And that's the text that you sent to Alan
15 Dershowitz.

16 A. Yes.

17 Q. Did you mean to type the word, you, after the
18 word, how?

19 MR. COOPER: Objection.

20 THE WITNESS: There's no way --

21 MR. COOPER: Form and foundation.

22 THE WITNESS: -- I can remember that.

23 BY MR. KIRK:

24 Q. Were you asking Mr. Dershowitz how he planned
25 to help you and Rebecca?

1 A. No, 'cause he had said, oh, I, I want to help
2 you, and I wasn't sure what he meant by it, but I
3 wasn't, like I said, I never asked Alan for anything.

4 Q. Well, once again, just as in the email, you
5 say here, we've given you a lot of information that's a
6 big help to you.

7 A. Right.

8 Q. How are we going to get helped? Isn't that
9 what you were saying?

10 MR. COOPER: Objection.

11 THE WITNESS: No, I wasn't ask -- I wasn't, I
12 was, basically like I already told you, he had said, oh,
13 I, I want to help you, and I, I'm curious as what he
14 meant by help me, you know, us how. But I'm not asking
15 him for help. I never asked him for help.

16 BY MR. KIRK:

17 Q. Did he ever tell you how he planned to help
18 you?

19 A. He's never helped us with anything.

20 Q. Did he ever respond to your questions?

21 A. Actually, no, not that I remember.

22 Q. Now, at the time of this exchange, you were
23 living in Rebecca's mother's house.

24 Is that right?

25 A. Yes.

1 Q. And you had a lot of bills that were unpaid at
2 the time.

3 Is that fair?

4 A. Yeah. Well, I don't know if we had a lot of
5 bills at the time, we just didn't have a lot of money to
6 pay our bills. I don't know if we had, we didn't have a
7 lot of debt, I don't think, back then.

8 Q. Well now --

9 A. But it, it was a tight time for us for sure.

10 Q. Had not Rebecca been sued by a credit card
11 company for --

12 A. Oh, yeah, something --

13 MR. COOPER: Objection. Relevance,
14 argumentative, form and foundation.

15 THE WITNESS: Keep going?

16 MR. KIRK: Yes, you can go.

17 THE WITNESS: All right. Yeah, it was -- I
18 can't remember what it was exactly for.

19 BY MR. KIRK:

20 Q. \$1200, does that sound right?

21 A. Something like that, yeah. It wasn't very
22 much money.

23 Q. But I take it the reason she hadn't paid it is
24 she just didn't have the money to pay it at that time.

25 A. Right.

1 A. Don't know which, don't, don't have a, this,
2 all she said was the prince.

3 Q. Okay. During the taped conversation between
4 Mr. Dershowitz and you and Rebecca in April 2015, did
5 you understand why Mr. Dershowitz was taping the
6 conversation?

7 MR. COOPER: Objection. Form, foundation.

8 THE WITNESS: I just assumed to get us on
9 re -- honestly, I assumed to get us on record. I mean,
10 I really thought that's about as far as it, we were, it
11 would go. Hey, he just got us on record. We, we agreed
12 to recorded. I didn't, you know, I mean, I knew why he
13 was recording. I understood.

14 BY MR. KIRK:

15 Q. It was important to him to have anything that
16 would be helpful to him in the suit recorded on the
17 tape, correct?

18 MR. COOPER: Objection. Form, foundation.

19 THE WITNESS: I would assume so. I mean, yes.

20 BY MR. KIRK:

21 Q. And in fact, during the conversation, he would
22 talk to you for a while, and then, he would say, okay, I
23 want to turn on the tape. Can you say what you just
24 said about this on tape.

25 Do you recall that?

1 MR. COOPER: Objection. Form, foundation.

2 THE WITNESS: Actually, I think he maybe did
3 that once in the beginning of the phone call. It was
4 like, he was like, we basically told him what Virginia
5 had said, what Rebecca had remembered, that kind of
6 thing. He was like, okay, I'm going to record you now,
7 could you repeat that. It was something along those
8 lines.

9 BY MR. KIRK:

10 Q. And the reason he wanted you to repeat it was
11 so that he would have anything helpful to him on tape
12 recorded.

13 MR. COOPER: Objection. Form, foundation.

14 THE WITNESS: I would imagine so, yes.

15 THE COURT REPORTER: Can you repeat your
16 objection, please?

17 MR. COOPER: I'm sorry?

18 THE COURT REPORTER: Can you repeat the
19 objection?

20 MR. COOPER: Sure. Form, foundation.

21 BY MR. KIRK:

22 Q. Do you recall a conversation you had with Mr.
23 Dershowitz in -- about two years ago, when some
24 reporters had been bugging you?

25 A. I know I called him up to let him know that a

1 bunch of reporters are bothering us, but as for to the
2 conversation, you know, it's going to be hard pressed
3 for me to remember what was said during the
4 conversation.

5 Q. Two years ago.

6 A. Yeah, that's --

7 Q. Sure. Do you know if Mr. Dershowitz taped
8 that conversation?

9 A. I want to say yes, I think he recorded part.
10 I don't reme -- I don't remember. I don't remember.

11 Q. You think he may have asked you to consent to
12 a taping?

13 A. Yeah, I think he might've, but I don't
14 remember.

15 Q. Now, during this conversation, you asked his
16 advice about how you and Rebecca might get paid by the
17 media, correct?

18 A. Yeah, we, we had, we had a bunch of people
19 calling and asking us questions.

20 Q. And you wanted to know if you could get paid.

21 A. Yeah, we wanted, yes. One lady had called,
22 and I don't remember the news organization she was from,
23 saying, I don't want to quote, not, not quote word for
24 word, but it was something along the lines of if you
25 have information, something like that blah, blah, blah,

1 it may be worth something to us or something along those
2 lines, and I was, I wasn't sure, you know, I, I'm new to
3 all this kind of stuff, man. So, I wasn't sure is that
4 legal? Am I going to get in trouble if I was to do
5 something like that, and then, we decided it, it'd get
6 us named, it, it, it would put us out there, and I don't
7 want to be out there. I don't want my face on TV, none
8 of that crap.

9 Q. So, you also --

10 A. Stuff, sorry. None of that stuff.

11 Q. So, you ultimately decided not to go forward,
12 but when you were talking to Mr. Dershowitz, you wanted
13 to know if it was okay to get paid.

14 A. Yes. Yes.

15 Q. Now, during that call, at one point, Mr.
16 Dershowitz tried to get you to say that Virginia had
17 told you she didn't have sex with him.

18 Do you recall that?

19 A. I don't re -- I don't remember that.

20 Q. And you started to go along, but then, you
21 said, "I can't remember. You have to ask Rebecca."

22 Do you remember saying that?

23 A. Any of those kind of stuff like that, I'm
24 going to say you have to ask Rebecca, 'cause she was
25 much more in those kind of conversations with Virginia

1 than me.

2 Q. So, so, and then you, right after that, you
3 said, I can't say for sure, 'cause I can't remember
4 exactly what she said, what, what Virginia said.

5 A. Yeah, that would be correct.

6 MR. COOPER: Hold on. Objection. Form,
7 foundation.

8 BY MR. KIRK:

9 Q. So, the truth is in 2019, two years ago, you
10 couldn't remember whether Virginia had said she never
11 had sex with Mr. Dershowitz.

12 A. I --

13 Q. Is that right.

14 A. I don't re -- yeah, I don't remember. Like I
15 said, I don't remember her saying she never had sex with
16 him. All I remember for sure is she said she's never
17 seen Alan do anything.

18 Q. Is your memory getting better or worse as time
19 goes on?

20 MR. COOPER: Objection to the form,
21 foundation.

22 THE WITNESS: Well, I would say, I'd say yes,
23 I mean, of course. The longer you go, the worse it
24 gets.

25 BY MR. KIRK:

1 Q. Would you say that the best record of your
2 memory of these things would be the taped conversations
3 that you had with Mr. Dershowitz in April of 2015?

4 MR. COOPER: Objection. Form, foundation.

5 THE WITNESS: Will you say that again.

6 BY MR. KIRK:

7 Q. Would you say that the best place to go to get
8 your best memory of your conversations with Virginia
9 would be the taped conversation between you and Rebecca
10 and Mr. Dershowitz?

11 MR. COOPER: Objection. Form, foundation.

12 THE WITNESS: Yeah, I would honestly, I would
13 say, you know, because in the con -- that first
14 conversation, we were both uncomfortable. And were not,
15 we were really kind of still hesitant, and as we spoke,
16 you know, down, as things went on, she opened up and
17 started, you know, you know, talking about more. She,
18 you know, that's her best friend. She was having a
19 tough time with the whole thing.

20 So, but I would say that that first
21 conversation, yes, I would say that's probably, it's
22 going to be the most accurate. But, I would also say in
23 that conversation, it wasn't, not all the information,
24 you know, was there 'cause we were just not comfortable.
25 It was not a comfortable conversation for us.

1 BY MR. COOPER:

2 Q. Okay. And then, there's a statement from Alan
3 Dershowitz that says, "Uh-huh."

4 Do you see that? And then, you continue on,
5 and you say, "I can't remember. You'd have to ask
6 Rebecca. I think there was stuff she said too. She
7 doesn't remember meeting you, but I can't, I don't want
8 to say that for sure, because I can't remember exactly
9 what she said."

10 And then, Professor Dershowitz asks you to
11 have Rebecca call him, correct?

12 A. Yes.

13 Q. And are those the words that you said to Alan
14 Dershowitz, among others, on August 19th, 2019?

15 A. Yes.

16 MR. COOPER: I have nothing further.

17 RECROSS EXAMINATION

18 BY MR. KIRK:

19 Q. Just one follow-up question on that, Mr.
20 Spallholtz.

21 A. Sure.

22 Q. When you said, "I can't remember. You'd have
23 to ask Rebecca", does she have a better memory of all
24 this than you do?

25 MR. COOPER: Objection. Form, foundation.

1 THE WITNESS: Well, Rebecca's actually spoken
2 to Virginia a lot more than I did.

3 BY MR. KIRK:

4 Q. And so, she's a better source than you are.
5 That's why you told Mr. Dershowitz, I can't remember.
6 You have to ask her.

7 MR. COOPER: Object to the form --

8 THE WITNESS: I, I would --

9 MR. COOPER: -- and foundation.

10 THE WITNESS: Sorry, I don't mean to --

11 MR. COOPER: Go ahead.

12 THE WITNESS: -- do that to you.

13 I would, I would agree.

14 BY MR. KIRK:

15 Q. And you can't remember exactly what Virginia
16 said as you told him that.

17 A. Not verbatim. No.

18 MR. KIRK: Nothing further. Thank you.

19 THE WITNESS: Okay.

20 REDIRECT EXAMINATION

21 BY MR. COOPER:

22 Q. Can I just ask, so the record's clear, what
23 was the restaurant that you and your family and Ms.
24 Giuffre and her family were at when she said these
25 things to you about Professor Dershowitz?

Spillk.Het #1

From: Jon Doe
Sent: Friday, April 17, 2015 12:15 AM EDT
To: Alan Dershowitz
Subject: Re: Re: Virginia Roberts

We didn't get to finish about our job situation. She found out today that she was able to keep her job. I'll find out Monday about mine. We just don't want any misunderstanding.

Rebecca remembered a few other things that will be helpful, but we would like to know what it is you mean when u say u would like to help us.

--

Sent from my Android phone with mail.com Mail. Please excuse my brevity.

Alan Dershowitz <dersh@law.harvard.edu> wrote:
I'm free now. Please call

Sent from my iPhone

On Apr 16, 2015, at 7:12 AM, Alan Dershowitz <dersh@law.harvard.edu> wrote:

Thank you

Sent from my iPhone

On Apr 16, 2015, at 12:28 AM, Jon Doe <abc1234562@mail.com> wrote:

I'll be in touch tomorrow.

--

Sent from my Android phone with mail.com Mail. Please excuse my brevity.

Alan Dershowitz <dersh@law.harvard.edu> wrote:

Please call me. 6173199892

Thank you. I would really appreciate a call and I promise anonymity.

Sent from my iPhone

> On Apr 15, 2015, at 8:54 PM, Jon Doe <abc1234562@mail.com> wrote:

>

> I have information about Virginia that her lawyer's are trying to hide that will hurt her credibility and her ability to lead VRS. It is definitely worth something.

>

> I want to stay anonymous.

EXHIBIT

1

exhibitsticker.com

DERSH053609

Spallholtz & 3

Page 1

.....
IN RE:

VIRGINIA R. GIUFFRE

VS

ALAN DERSHOWITZ
.....

EXHIBIT

3

exhibitstick.com

.....
AUDIO TRANSCRIPTION OF

TELEPHONIC CONVERSATION BETWEEN

ALAN DERSHOWITZ AND MICHAEL SPALLHOLTZ

AUGUST 19, 2019
.....

AUDIO FILE DOWNLOAD LINK:

[https://spaces.hightail.com/receive/E3XV3Wlyaa/dXMtZWJjND
AwMTQtOTU3ZThmLWl0YTUtYWVhMjVhYTY2YTky](https://spaces.hightail.com/receive/E3XV3Wlyaa/dXMtZWJjND
AwMTQtOTU3ZThmLWl0YTUtYWVhMjVhYTY2YTky)

AUDIO FILE TITLED:

DERSH001424 (8.19.19 call with Michael Spallholtz).MPEG-4
.....

TRANSCRIPTIONIST'S DISCLAIMER:

Misidentification of speakers may occur due to things beyond my control, e.g., poor audio quality, similar voice tones, overspeaking, overlapping room noises, etc. Speaker identifications contained herein have been done to the best of my ability from the audio I have been provided.

TRANSCRIPTIONIST: Mary C. Dopico, CSR, RPR, CRR

1 (Audio file titled: DERSH001424 (8.19.19 call with
2 Michael Spallholtz).MPEG-4.)

3

4 PARTICIPANTS - ALAN DERSHOWITZ - MICHAEL SPALLHOLTZ

5

6 ALAN DERSHOWITZ: First of all, how -- how are your
7 kids doing? Last time I spoke to you, they
8 were babies, in the background, and --

9 MICHAEL SPALLHOLTZ: Yeah. Yeah.

10 ALAN DERSHOWITZ: And -- and how are they doing?

11 MICHAEL SPALLHOLTZ: They're -- They're doing great.

12 You know, there is -- They just started off
13 at school and everything, so --

14 ALAN DERSHOWITZ: Yeah.

15 MICHAEL SPALLHOLTZ: -- everything's going --
16 everything's going well.

17 ALAN DERSHOWITZ: Oh, good. And how -- how's Rebecca
18 doing?

19 MICHAEL SPALLHOLTZ: She's doing really good.

20 ALAN DERSHOWITZ: Good. Good.

21 You know, as you know, this -- this
22 woman, Virginia, I know -- I know -- I know
23 that Rebecca still feels close to her and
24 still feels -- but this woman has destroyed my
25 life and the life of my family, you know.

1 You know, I know, Rebecca knows that she
2 just totally made up a story about me; and
3 it's just destroyed my life. It's --

4 You know, I have kids and I have
5 grandkids and they're just -- They're just
6 devastated because the media still keeps
7 believing her, even though we know that, you
8 know, she told Rebecca that she never had sex
9 with me and --

10 MICHAEL SPALLHOLTZ: Right.

11 ALAN DERSHOWITZ: -- and all of that; so, ughh, I
12 just, um, I'd -- I'd love to talk to Rebecca
13 and have her just reiterate and confirm to me
14 that she still, you know, she's still gonna --
15 gonna, you know, if she's asked, if -- I
16 have --

17 By the way, I have complied with my
18 obligation. I haven't given anybody her
19 contact information, her information, or
20 anything like that. People have called me all
21 the time; but I've been trying as hard as I
22 can to protect her privacy.

23 As you know, Rebecca -- I'm sorry,
24 Virginia testified at her deposition about --

25 MICHAEL SPALLHOLTZ: Uh-huh.

1 ALAN DERSHOWITZ: -- a phone call that she had with
2 her and, uh, and -- and -- and fighting with
3 her and arguing with her; but is -- Can I
4 talk to -- to Rebecca just to --

5 MICHAEL SPALLHOLTZ: Well, she's --

6 ALAN DERSHOWITZ: -- make --

7 MICHAEL SPALLHOLTZ: -- actually -- she's at work
8 right now. What I'm actually calling about
9 is, I mean, we are getting bombarded --

10 ALAN DERSHOWITZ: I know. I know.

11 MICHAEL SPALLHOLTZ: I mean, it's been non-stop with
12 people calling.

13 ALAN DERSHOWITZ: Yeah. Yeah.

14 MICHAEL SPALLHOLTZ: So by -- But -- And some of
15 them are actually offering to pay us to talk.

16 ALAN DERSHOWITZ: Yeah. Yeah. Yeah.

17 MICHAEL SPALLHOLTZ: So my question is, is what --
18 'Cause we're -- Rebecca and I really -- I
19 mean, we don't really want to be involved.

20 ALAN DERSHOWITZ: I understand that.

21 MICHAEL SPALLHOLTZ: You know? 'Cause, you know,
22 I -- I believe you when you say you have --
23 you haven't dropped her name; but there are
24 several news articles that I've read that
25 mentions both our names, you know, and -- and

1 whatnot.

2 ALAN DERSHOWITZ: Yeah.

3 MICHAEL SPALLHOLTZ: So --

4 ALAN DERSHOWITZ: Yeah.

5 MICHAEL SPALLHOLTZ: -- I mean -- So, like I said,
6 it's been non-stop.

7 My question would be, is -- is, uh, if
8 Rebecca de -- decided to talk, is that -- and
9 the -- you know, like -- let's say like NEW
10 YORK TIMES just called me like, fricking,
11 three or four times today. So, you know,
12 let's say, when we decide, okay, you know,
13 we'll talk, we'll take a minute and we'll
14 talk. Is that illegal?

15 ALAN DERSHOWITZ: Oh, it's perfectly legal. You can
16 talk to anybody you want. Um --

17 MICHAEL SPALLHOLTZ: If --

18 ALAN DERSHOWITZ: Yeah. I mean, there's no problem
19 about you talking to anybody. You're not
20 under any constraint at all. Um --

21 MICHAEL SPALLHOLTZ: Even if -- Even if money
22 changes hands?

23 ALAN DERSHOWITZ: I don't think the TIMES is gonna
24 give you any money. I can't imagine the TIMES
25 would give you money.

1 MICHAEL SPALLHOLTZ: No, I'm -- I'm just using them
2 as an example. They've called --

3 ALAN DERSHOWITZ: Yeah.

4 MICHAEL SPALLHOLTZ: -- us a bunch of times today.

5 ALAN DERSHOWITZ: Yeah.

6 MICHAEL SPALLHOLTZ: But we have had people call us
7 and make -- [overspeaking - unintelligible]

8 ALAN DERSHOWITZ: Now, look, as you know, Virginia
9 got \$160,000 for --

10 MICHAEL SPALLHOLTZ: Wow.

11 ALAN DERSHOWITZ: -- talking to, um, the -- the DAILY
12 MAIL and --

13 MICHAEL SPALLHOLTZ: Wow.

14 ALAN DERSHOWITZ: -- and lying to them, telling them
15 she -- you know, she saw Tipper Gore and Al
16 Gore on the island, and Bill Clinton and, you
17 know, Secret Service records no -- show that
18 they were never on the island.

19 MICHAEL SPALLHOLTZ: Um-hum.

20 ALAN DERSHOWITZ: My only concern -- and, you know,
21 obviously this is my life -- is that Rebecca,
22 you know, just -- no matter who asked her or
23 how often they ask her, just to make sure she
24 repeats the fact that, you know, uh, basically
25 Virginia told her she didn't have sex with me.

1 She told her maybe about other people, but she
2 never mentioned me as one of the people, and
3 that she felt --

4 MICHAEL SPALLHOLTZ: Right.

5 ALAN DERSHOWITZ: -- pressured by her lawyers to
6 accuse me, and that I've been falsely accused.
7 I think that's -- that's, uh, the -- the --
8 the only important thing to me.

9 What -- what you folks do is really
10 completely up to you. And -- and I can't give
11 you any legal advice; but it's -- but I can
12 tell you, as a matter of fact, that it is
13 legal, if you want to take money to take
14 money. Of course, it -- it makes your
15 credibility, uh --

16 MICHAEL SPALLHOLTZ: Lessens it.

17 ALAN DERSHOWITZ: -- less -- Yes. Less. Yeah, in
18 order --

19 MICHAEL SPALLHOLTZ: Yeah.

20 ALAN DERSHOWITZ: -- it lowers your credibility.

21 You know, I -- I -- I think probably
22 what you'd be better off doing is talking to
23 people like -- like the NEW YORK TIMES and
24 repeating what you said to -- to -- what
25 Rebecca said to me, you know, that I was

1 falsely accused; and all -- making all of that
2 clear.

3 And then I think, um, you know, people
4 will come to you probably and ask her maybe to
5 write a book or to be on -- I don't know, to
6 do something that's commercial; but that --
7 that could happen after.

8 But I don't think any -- any -- any --
9 the NEW YORK TIMES, the WALL STREET JOURNAL
10 will pay money for information. You know,
11 maybe the DAILY MAIL will, and other
12 newspapers; but only -- They'll only do that
13 if it's fairly salacious. And --

14 MICHAEL SPALLHOLTZ: Right.

15 ALAN DERSHOWITZ: -- I think, you know, Rebecca's
16 credibility is crucial here. She has to
17 maintain her credibility. She's a
18 truth-telling person.

19 Even Virginia, when she testified at her
20 deposition, said that Rebecca only tells the
21 truth and she is very, very truthful and --
22 and all of that. So, um --

23 MICHAEL SPALLHOLTZ: Well, I -- I -- I can tell you
24 now the -- the manual that we regarded, after
25 everybody's called, I haven't talked to

1 anybody.

2 I just wanted to, one, ask you that
3 question; and, two, let you know that we're
4 getting --

5 ALAN DERSHOWITZ: Yeah.

6 MICHAEL SPALLHOLTZ: -- bombarded.

7 But I -- I could tell you, you know,
8 from watching the news and listening to
9 Virginia tell, you know, her bullshit and
10 whatnot, and myself talking to Virginia and --
11 when she was staying with us for a bit, the
12 frustrating -- Rebecca's really just
13 frustrated at how, yeah, we get it. There's
14 some shady shit going on somewhere somehow.

15 The thing of this is, you know, like
16 you -- Both of us never viewed Virginia
17 exactly as a -- a victim. I mean, she was --
18 she was actually kinda pretty proud of herself
19 for things that she was doing --

20 ALAN DERSHOWITZ: Um-hum.

21 MICHAEL SPALLHOLTZ: -- so...

22 ALAN DERSHOWITZ: Yeah. Yeah, that's --

23 MICHAEL SPALLHOLTZ: And that's -- that particularly
24 pisses off Rebecca; 'cause she's playing this
25 oh, poor me, poor me kinda roll --

1 ALAN DERSHOWITZ: Yeah.

2 MICHAEL SPALLHOLTZ: -- and that's not it at all how
3 it went.

4 ALAN DERSHOWITZ: But, you know, it's one thing to
5 falsely portray herself as a victim. Okay. I
6 understand that.

7 But then to accuse a totally innocent
8 person like me, who never --

9 MICHAEL SPALLHOLTZ: Right.

10 ALAN DERSHOWITZ: -- met her, never laid eyes on her.

11 MICHAEL SPALLHOLTZ: Yeah.

12 ALAN DERSHOWITZ: And I know she's told that to
13 Rebecca and probably told it to you, too, that
14 she's -- that I'm completely innocent; so...

15 MICHAEL SPALLHOLTZ: Yeah, I mean, like I said,
16 nothing on our end has -- has changed. Just I
17 just wanted to -- You told me to give you a
18 call when people start reaching out and
19 whatnot, so that's what I'm doing.

20 ALAN DERSHOWITZ: Okay. Look. I appreciate that
21 very much.

22 What's the best number for me to get
23 you, if I need to -- if somebody, you know, is
24 saying something that's wrong and I want to
25 make sure that you correct it or something?

1 What's the best number for me to call you on?

2 MICHAEL SPALLHOLTZ: It would be this number.

3 ALAN DERSHOWITZ: Okay. I got it. I got this
4 number. Okay.

5 Do you -- you work -- What -- You --
6 You -- Your -- You're like a combat or a
7 self-defense per -- person or what do you do?

8 MICHAEL SPALLHOLTZ: I do -- [snickers.] I do -- I
9 teach like Brazilian jujitsu, hand-to-hand
10 combat, stuff --

11 ALAN DERSHOWITZ: Oh, great.

12 MICHAEL SPALLHOLTZ: -- like that.

13 ALAN DERSHOWITZ: Good. Good. Good. Good. I may
14 need you to protect me one of these days.

15 MICHAEL SPALLHOLTZ: [Laughing.]

16 ALAN DERSHOWITZ: You know, one of these days I'd
17 love to come -- I -- I live in Florida in
18 the winter. I'm not there now. I'm on
19 Martha's Vineyard. But, um, um, um, I -- I'd
20 love to one day just meet Rebecca and -- and
21 thank her for everything she did, for telling
22 the truth, 'cause she's really been very, very
23 helpful to me and --

24 MICHAEL SPALLHOLTZ: Okay.

25 ALAN DERSHOWITZ: -- I just want to --

1 MICHAEL SPALLHOLTZ: Well, you have my information.

2 You know, just --

3 ALAN DERSHOWITZ: I want to show --

4 MICHAEL SPALLHOLTZ: -- let us know when you're in
5 town.

6 ALAN DERSHOWITZ: -- my appreciation.

7 But, uh, does -- Can -- Can she call
8 me tonight? I'd just like to say hello to her
9 and thank her and -- and reiterate my
10 appreciation.

11 Can you try to maybe make a call tonight
12 for her?

13 MICHAEL SPALLHOLTZ: Yeah. I'll -- Well, I'll --
14 I'll ask her, but I'm not making any promises.

15 ALAN DERSHOWITZ: No, no, no. I can never ask you to
16 do that. You've been -- Look, you have been
17 so terrific, too. You're the one who called
18 me. You're the one who -- who set this up in
19 the beginning. I know you, right from the
20 beginning, you told me how reluctant you were
21 to --

22 MICHAEL SPALLHOLTZ: Well, it's kinda scary, to tell
23 you the truth. I mean, there's some -- seems
24 like there's some shady people involved.

25 ALAN DERSHOWITZ: Oh, yeah. Oh, look, there's some

1 terrible, terrible shady people; but the idea
2 that a -- that a woman like -- that -- like
3 Roberts could -- could -- could ruin people's
4 lives by just making up stories -- This is a
5 woman I never met, I never heard of.

6 MICHAEL SPALLHOLTZ: But she's -- she's -- she's a
7 greedy person.

8 ALAN DERSHOWITZ: Yeah. I know. I know.

9 MICHAEL SPALLHOLTZ: That's how --

10 ALAN DERSHOWITZ: But, you know, greedy is one thing.
11 Victim is another thing. But to make up
12 stories and to destroy a person's life and his
13 whole family in it --

14 You know, I've been so happily married
15 to the same woman for 33 years; and I've never
16 deviated. And, you know, to have this
17 accusation leveled against me is just a
18 horrible, horrible thing. And --

19 MICHAEL SPALLHOLTZ: Yeah. Well, I mean, that's
20 kinda why we just thought it -- to -- to reach
21 out. As I told you before, you know, I
22 actually follow -- read all the things that
23 you write; and I have even before this. You
24 know, I -- I'm interested in politics and
25 whatnot; but I -- You know, you were

1 constantly commenting and giving your opinion;
2 so I constantly read it.

3 And then when we started talking to her
4 and all the stuff, I was like: Well, hold on
5 a second. This doesn't really seem right.
6 So...

7 ALAN DERSHOWITZ: And what did she say to you
8 exactly? Did she tell you that -- that she --
9 she didn't have sex with me? What did -- How
10 did she put it? I mean, how --

11 MICHAEL SPALLHOLTZ: Well, basically that. Basically
12 what she felt -- You know, like we told you
13 before, she felt she had been pressured into
14 saying something that, you know, really didn't
15 happen. She didn't really, you know -- you
16 know, like going after you or -- and that you
17 didn't do anything.

18 ALAN DERSHOWITZ: Um-hum.

19 MICHAEL SPALLHOLTZ: I can't remember. You'd have to
20 ask Rebecca. I think -- there was stuff she
21 said, too. She doesn't remember meeting you.
22 But I can't -- I don't want to say that for
23 sure, because I can't remember exactly what
24 she said.

25 ALAN DERSHOWITZ: Okay. If you can have Rebecca call

1 me, I would love to hear that from her. Okay?

2 MICHAEL SPALLHOLTZ: Well, I will. Like I said, I

3 won't -- I won't make --

4 ALAN DERSHOWITZ: Yes.

5 MICHAEL SPALLHOLTZ: -- any promises, but I'll --

6 ALAN DERSHOWITZ: No. And -- and could you --

7 MICHAEL SPALLHOLTZ: -- talk to her when she gets

8 home.

9 ALAN DERSHOWITZ: -- apologize to me for Rebecca for

10 any of the publicity or problems? I apologize

11 to you, too.

12 As I said, this is my life. The last

13 thing I want to do is -- you are good

14 people -- to get you in any kind of a

15 situation where your life has been made

16 difficult.

17 I will always back you and support you.

18 I know you're truthful and good people. And I

19 just want to apologize for any difficulties

20 that I've caused you.

21 So please convey that to Rebecca. Okay?

22 MICHAEL SPALLHOLTZ: Will do.

23 ALAN DERSHOWITZ: Okay. Thank you so much for

24 calling. I appreciate it.

25 MICHAEL SPALLHOLTZ: No worries. Have a nice night.

1 ALAN DERSHOWITZ: Take care. Be well. Bye.

2 [Music plays briefly.]

3 ALAN DERSHOWITZ: What do I do now, I --

4 (Audio recording ended.)

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TRANSCRIPTIONIST'S CERTIFICATE

I, Mary C. Dopico, CSR, RPR, CRR,
Transcriptionist, certify that the foregoing is a true
and accurate transcription of the audio recording of the
proceedings in the above-entitled matter; said audio
recording titled: DERSH001424 (8.19.19 call with Michael
Spallholtz).MPEG-4;

I further certify that I am neither counsel
for, related to, nor employed by any of the parties to
the action in which this proceeding was taken;

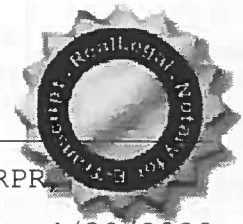
I further certify that I am not financially or
otherwise interested in the outcome of this action.

Certified to by me on this the 11th day of
October, 2021.

Mary C. Dopico

Mary C. Dopico, CSR, RPR,

Texas CSR No. 463, Exp. 4/30/2023



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